

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
EASTERN DIVISION

FILED BY *[Signature]* D.C.  
05 AUG 26 AM 11:08

CAROLYN V. SCOTT, INDIVIDUALLY, )  
AND AS NEXT OF FRIEND OF )  
DESHAUN SCOTT )

Plaintiff, )

v. )

WILLIAM ROGERS, CHRISTINE )  
ROGERS; and BETH McCLURE d/b/a )  
REALTY SHOPPE )

Defendants. )

CIVIL ACTION NO. 1:04-cv-1284-T/An  
JURY TRIAL DEMANDED

JOINT PETITION TO CONTINUE TRIAL DATE  
AND AMEND SCHEDULING ORDER

Come now the parties by and through counsel and jointly move this Court for an order continuing the trial in this matter and amending the Scheduling Order and in support of which would state as follows:

1. This is an action under the Fair Housing Act, 42 S.C. §1981, 1983 and the Tennessee Human Rights Act alleging racial discrimination arising out of the sale of a home in Lexington, Tennessee. The parties have engaged in extensive discovery and have diligently attempted to complete discovery within the time allowed by the Scheduling Order in this matter. Despite these diligent attempts to complete discovery, however, the parties have witness depositions which need to be completed which were subpoenaed to be done within the time allowed in the Scheduling Order

**MOTION GRANTED**

DATE: 26 August 2005

This document entered on the docket sheet in compliance  
with Rule 58 and/or 79 (a) FRCP on 8/30/05

*James D. Todd*  
James D. Todd  
U.S. District Judge

32

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05 AUG 29 AM 8:44

THOMAS H. GOULD  
CLERK U.S. DISTRICT COURT  
WESTERN DISTRICT OF TENNESSEE

but which were not able to be completed within that time due to the length of other depositions taken in the matter.

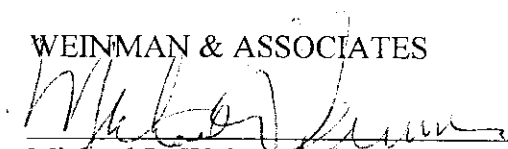
2. The parties are in agreement that the Scheduling Order needs to be modified to allow the parties additional time to complete discovery and allow the parties to file dispositive motions based upon the information obtained through discovery. All parties realize that the only way that the Scheduling Order can be amended to allow the completion of discovery and to file dispositive motions is if the trial date in the matter is continued so that discovery can be completed and dispositive motions filed within the time parameters generally required by the Court. Accordingly, all parties join in this motion and ask the Court to enter an Order continuing the trial and allowing them to enter into a new Scheduling Order to allow them to complete discovery and file dispositive motions.

3. If the Court deems it necessary, the parties hereby request a telephonic hearing with the Court to address these issues.

WHEREFORE PREMISES CONSIDERED, the parties jointly request that the Court enter an Order continuing the trial in this matter and allow them to enter into a new Scheduling Order which would enable them to complete discovery and file dispositive within the time parameters generally required by the Court.

Respectfully submitted

WEINMAN & ASSOCIATES

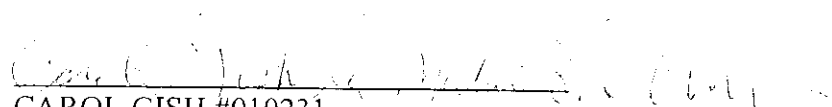
  
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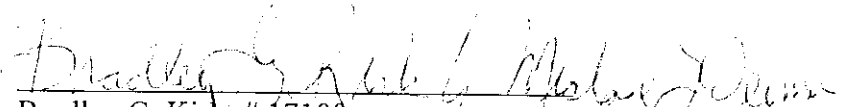
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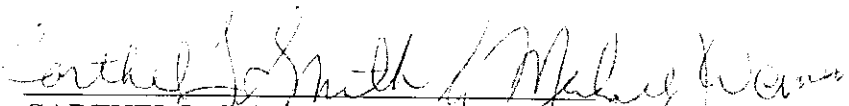
  
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## Notice of Distribution

This notice confirms a copy of the document docketed as number 32 in case 1:04-CV-01284 was distributed by fax, mail, or direct printing on August 30, 2005 to the parties listed.

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Honorable James Todd  
US DISTRICT COURT